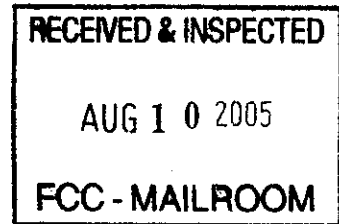




**Subscriber Notification Report  
Docket No. 05-196**



August 9, 2005

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Re: Subscriber Notification, Acknowledgement Status and Compliance Report

Dear Ms. Dortch:

On behalf of Communications Xchange, LLC ("CommX"), this responds to the FCC's request for a status report from interconnected VoIP service providers regarding the implementation and customer notification of E911 services.

Since its inception in July 2003, CommX has provided E911 services to its customers as an integral part of its service offering. CommX's E911 service uses the physical address that a customer provides to us in our Master Service Agreement ("MSA") to determine the nearest emergency response center and then sends a customer's 911 call to that center. When the center receives the 911 call, the call taker will automatically be provided with the physical address CommX has on record for such customer, and the callback number associated with that call.

CommX has both a retail and a wholesale sales division for its VoIP services. With regard to our retail customers, we have an executed MSA on file for 100% of them. Our MSA contains an acknowledgement in bold type that 911 calls will be routed using the address reflected on the customer Service Order and that in the event of a failure of the services 911 emergency calls may not be completed successfully. Our MSA further states that the customer is responsible for ensuring that its premise equipment is functional and that power is available to such equipment.

In addition to the executed MSA we have on file for 100% of our retail customers, on August 5, 2005 CommX sent each of its retail customers via U.S. Mail a notice (the "Notice") describing CommX's E911 service and specifically stating prominently and in plain language the circumstances under which E911 service may be limited or not be available through the interconnected VoIP service. The Notice requires that the customer acknowledge its understanding of CommX's E911 service by signing in a space provided at the bottom of the Notice. Enclosed with the notice is a self-addressed stamped envelope for ease in returning a signed copy to CommX, and warning stickers which

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customers are advised to place on their phone equipment to remind them of the limitations of the E911 service.

As of August 9, 2005, CommX has 66 retail customers and 24% of them have returned signed Notices to us which are stored in our customer files. A CommX representative maintains a list of responders on a daily basis. Those customers who have not responded by August 20, 2005 will be contacted via telephone and/or e-mail by a CommX service representative to discuss the Notice and the importance of understanding the E911 limitations, and request that the Notice be signed and returned to CommX immediately to avoid service disconnection on August 30, 2005. CommX will take all reasonable efforts to obtain and expects to receive an acknowledgement of the Notice from 100% of its subscribers by August 29, 2005.

With regard to our three wholesale customers, CommX sent each of them a letter (the "Wholesale Notice") on August 3, 2005 via facsimile with a copy following via U. S. Mail. The Wholesale Notice notified each of our wholesalers of the content of the FCC's VoIP E911 Order and enclosed a copy of the FCC's Public Notice (dated July 26, 2005) for their review. The Wholesale Notice stated that as a wholesale customer of CommX services they are responsible for compliance with the requirements of the FCC's Public Notice, and the underlying FCC Order, with respect to each of their VoIP end-users. CommX has followed up its Wholesale Notice with telephone calls to each of its wholesale customers. To the best of CommX's knowledge, one of its wholesale customers has no end-user customers to date (and therefore will only be responsible for future compliance) and the other two wholesale customers have begun the customer notification process.

The CommX representative responsible for its compliance efforts with respect to the VoIP E911 Order is:

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President  
3550 Buschwood Park Drive, Suite 320  
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E-mail: [ojwilliams@commx.net](mailto:ojwilliams@commx.net)

Sincerely,

Communications Xchange, LLC

Michael A. Viren  
Chief Executive Officer